IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

ROBERT SUMMERLIN,)
Plaintiff,))
v.) Civil Action No. 3:09-1627-MBS-JRM
MICHAEL J. ASTRUE, Commissioner of Social Security,)))
Defendant.))
	ORDER

Upon consideration of Defendant's Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), and good cause appearing therefor, the Court hereby REVERSES the Commissioner's decision in this matter under sentence four of 42 U.S.C. § 405(g), and REMANDS the cause to the Commissioner for issuance of a partially favorable decision.

Upon remand, the Appeals Council will vacate the ALJ's July 21, 2008 decision and will issue new decision finding that Plaintiff became disabled on January 29, 2007, when he attained the age of 50, under Rule 202.09 of the Medical-Vocational Guidelines, 20 C.F.R. Part 404, Subpart P, Appendix 2, § 202.09.

IT IS SO ORDERED.

Joseph R. McCrorey United States Magistrate Judge

January 11, 2010

Columbia, South Carolina

¹ The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.